

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

HEATHER WYATT, as Administratrix of
the Estate of Aubreigh Wyatt and HEATHER
WYATT, INDIVIDUALLY AND AS PARENT/
GUARDIAN OF AUBREIGH WYATT

PLAINTIFF

VS

CAUSE NO: 1:25-cv-00098-TBM-BWR

OCEAN SPRINGS SCHOOL DISTRICT, OCEAN
SPRINGS BOARD OF TRUSTEES, OCEAN
SPRINGS SCHOOL DISTRICT SUPERINTENDENT;
OCEAN SPRINGS UPPER ELEMENTARY: TEACHERS
A-Z, LUNCH AIDES A-Z, SCHOOL NURSES A-Z,
LIBRARIANS A-Z, JOHN DOES 1-20; SCHOOL
COUNSELORS A-Z, SCHOOL ADMINISTRATORS A-Z,
And OCEAN SPRINGS MIDDLE SCHOOL: TEACHERS
A-Z, LUNCH AIDES A-Z, SCHOOL NURSES A-Z,
LIBRARIANS A-Z, JOHN DOES 1-20; SCHOOL
COUNSELORS A-Z, SCHOOL ADMINISTRATORS A-Z,

DEFENDANTS

MOTION TO SEAL AMENDED COMPLAINT

Comes Now, Ocean Springs School District, Ocean Springs Board of Trustees, Ocean Springs School District Superintendent (“School District Defendants”), and submits this Motion to Seal Amended Complaint. In furtherance thereof, the School District Defendants state unto the Court as follows:

1. Plaintiff Heather Wyatt filed an original complaint in this cause on February 7, 2025, then filed an amended complaint on February 9, 2025. The only difference between the two was the amended complaint’s inclusion of text messages, social media messages and emails as exhibits, all of which are incorporated within a single document. They are not separate exhibit filings.

2. These exhibits contain the names of minor children. The initial filing of these exhibits in state court without redaction of the minor’s names and other personal identifiers violated

the State of Mississippi Judiciary Administrative Office of Courts, Administrative Procedures for Mississippi Electronic Courts, Section 9, which holds:

A. Obligation to Protect Sensitive and Private Information.

To achieve the goal of promoting electronic access to case files while still protecting personal privacy and addressing concerns created by Internet access to court documents, counsel shall refrain from including, or shall partially redact where inclusion is necessary and relevant to the case, the following personal data identifiers from all pleadings and other papers filed with the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court or except where otherwise specifically required by rule or statute:

....

2. Names of minor children. If the involvement of a minor child must be mentioned, only the initials of that child should be used.

....

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review pleadings for compliance with this procedure. Attorneys are also advised to exercise caution when filing documents that contain the following:

- 1) personal identifying number, such as driver's license number;
- 2) medical records, treatment and diagnosis;
- 3) employment history;
- 4) individual financial information; and,
- 5) proprietary or trade secret information.

Attorneys are strongly urged to share this notice with all clients so that an informed decision may be made about the inclusion of certain materials in court documents.

Counsel and the parties are cautioned that failure to redact personal identifiers and/or the inclusion of irrelevant personal information in a pleading or exhibit filed electronically with the court may subject counsel to the disciplinary and remedial powers of the court, including sanctions pursuant to M.R.C.P. 11.

3. Both the Federal Rules of Civil Procedure and the Uniform Local Rules of the

Southern District likewise require protection of the names and personal identifiers for minors:

Rule 5.2. Privacy Protection For Filings Made with the Court

(a) REDACTED FILINGS. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only: (1) the last four digits of the social-security number and

taxpayer-identification number; (2) the year of the individual's birth; (3) the minor's initials; and (4) the last four digits of the financial-account number.

F.R.C.P. 5.2. The Uniform Local Rule incorporates these requirements:

PROTECTION OF PERSONAL AND SENSITIVE INFORMATION; PUBLIC ACCESS TO COURT FILES; REDACTED INFORMATION; SEALED INFORMATION

Responsibilities of Counsel and Parties. Counsel should advise clients of the provisions of this rule and FED. R. CIV. P. 5.2 so that an informed decision may be made about the inclusion of protected information.

L.U. CIV. R. 5.2. (Emphasis in original.)

4. Plaintiff has fostered substantial publicity to the alleged circumstances surrounding this particular case, and continues to do so. The failure to comply with the redaction requirements for protection of minors places them at substantial risk. A separate appropriate motion shall be filed addressing that matter.

5. For this motion, the School District Defendants request permission to file the amended complaint with exhibits under seal and that it remain under seal to protect the identity of minors as required by both state and federal rule. It is further requested Plaintiff be ordered to comply with all redaction requirements going forward.

Respectfully submitted, this the 1st day of April, 2025.

OCEAN SPRINGS SCHOOL DISTRICT, OCEAN
SPRINGS BOARD OF TRUSTEES, OCEAN
SPRINGS SCHOOL DISTRICT SUPERINTENDENT

BY: /s/ Allison P. Fry
ALLISON P. FRY, MSB 100725

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CERTIFICATE OF SERVICE

I, Allison P. Fry, attorney for the Ocean Springs School District Defendants as identified above, do hereby certify that I have this day caused to be served a true and correct copy of the foregoing document via electronic mailing and/or United States Postal Service to the following counsel of record:

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/s/ Allison P. Fry
ALLISON P. FRY, MSB 100725